IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

oplicant(s):

FEIGE, et al.

Serial No.:

10/666,696

Group Art Unit No.: 1639

Filed:

September 19, 2003

Examiner: Teresa D.

Wessendorf

For:

MODIFIED PEPTIDES AS THERAPEUTIC AGENTS

Docket No.:

A-527H

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING APPLICATION

Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Petitioner, Amgen Inc., is the owner of the entire interest in the instant application.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 09/563,286, and hereby agrees that any patent so granted on said above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from application Serial No. 09/563,286, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on said above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from application Serial No. 09/563,286 in the event that any said patent issuing from application Serial No. 09/563,286 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Copies of the assignment documents in the chain of title from the original owner to assignee are attached, and were recorded in the Patent and Trademark Office at reel 011148 and frame 0559.

EXPRESS	HAAH	CEDTII	TOATE
EXPRESS	IVIAIL	CERIII	-IC:AIF

"Express Mail" mail labeling number:	EL 732696330 US	Date of Deposit:	December 3, 2004
I hereby certify that this paper or fee is be under 37 CFR 1.10 on the date indicated VA 22313-1450.		Stop Amendment, Commission	oner for Patents, P.O. Box 1450, Alexandria,
Sherry L. St. A	ndrew		handren_
Printed Name	9		Signature

The undersigned has reviewed the attached assignment documents and certifies that, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please send all future correspondence to: U.S. Patent Operations/ TJG Dept. 430, M/S 27-4-A AMGEN INC. One Amgen Center Drive Thousand Oaks, California 91320-1799 Respectfully submitted,

Timothy / Gazi Attorney for Applicant

Registration No.: 33,11

Phone: (805) 447-2688

Date: Décember 3, 2004

DECEMBER 06, 2806 NT OF ERATIONS

AMGENT

PTAS

UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231



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A. 5774

AMGEN INC. TIMOTHY J. GAUL US PATENT OPERATIONS - DEPT 430 M/S 274A ONE AMGEN CENTER DRIVE THOUSAND OAKS, CA 91320-1799

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/21/2000

REEL/FRAME: 011148/0559

NUMBER OF PAGES: 12

BRIEF: ASSIGNMENT OF ASSIGNOR''S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FEIGE, ULRICH

DOC DATE: 08/16/2000

ASSIGNOR:

LIU, CHUAN-FA

DOC DATE: 08/14/2000

ASSIGNOR:

CHEETHAM, JANET C.

DOC DATE: 08/17/2000

ASSIGNOR:

BOONE, THOMAS CHARLES

DOC DATE: 08/17/2000

ASSIGNOR:

GUDAS, JEAN MARIE

DOC DATE: 08/10/2000

011148/0559 PAGE 2

ASSIGNEE:

AMGEN INC.
ONE AMGEN CENTER DRIVE
DEPT 430, M/S 27-4-A
THOUSAND OAKS, CALIFORNIA
913201799

SERIAL NUMBER: 09563286

PATENT NUMBER:

FILING DATE: 05/03/2000

ISSUE DATE:

PAULA MCCRAY, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

August 18, 2000 Date

10-16-2000 RE(Revised Form PTO-1595 U.S. Department of Commerce (Rev. 6-93) Patent and Trademark Office 101488651 To the Honorable Commissioner of Pater... sales resolve and accorded original documents or copy thereof. 1. Name of conveying party(ies): 2. Name and address of receiving party(ies): Ulrich Feige, Chuan-Fa Liu Amgen Inc. Janet C. Cheetham, Thomas Charles Boone Jean Marie Gudas Internal Address: Dept. 430, M/S 27-4-A Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No 3. Nature of conveyance: One Amgen Center Drive Street Address: Merger Security Agreement Change of Name Thousand Oaks CA State: Other August 17, 2000 Execution Date: Additional name(s) & address(es) attached? ☐ Yes \boxtimes No 4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No.(s) B. Patent No.(s) 09/563,286, filed May 3, 2000 Additional numbers attached? Yes ⊠ No 5. Name and address of party to whom correspondence Total number of applications and patents involved: 1 concerning document should be mailed: U.S. Patent Operations/ TJG Name: 7. Total fee (37 CFR 3.41).....\$ 40.00 Dept. 430, M/S 27-4-A Enclosed Internal Address: AMGEN INC. Authorized to be charged to deposit account. One Amgen Center Drive 8. Deposit account number: Street Address: 01-0519 The Commissioner is hereby authorized to charge any additional filing fees which may be required or credit any overpayment to Deposit Account No. 01-0519 City: Thousand Oaks CA Zip: 91320-1799 State: DO NOT USE THIS SPACE 9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true, and correct and any attached copy is a true copy of

10/16/2000 DBYRNE

the original document

09563286 00000067 010519

Timothy J. Gaul

Name of Person Signing

01 FC:581 40.00 CH

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an

and Trademarks, Washington, D.C. 20231, on the date appearing below

Total number of pages including cover sheet, attachments, and document:

ASSIGNMENT

Whereas,	we, Ulrich Feige, 3117	Deer Valley Avenue, I	Newbury Park, Califor	nia 91320
		5 Clover Creek Drive,		
		i, 1695 East Valley Ro		
	Thomas Charles Bo	oone, 3010 Deer Valle	y Avenue, Newbury F	Park, California 91320
		3102 Espana Lane, T		
have made an inventi entitled	on which is the subject of a	an application for Lette	ers Patent of the Unite	ed States ("Application")
	MODIFIED P	EPTIDES AS THERA	PEUTIC AGENTS	
which is found in:	,			
☐ (a) th	e US Patent Application ex	xecuted on even date	herewith;	
☐ (b) th	e US Patent Application ex	xecuted on		
⊠ (c) U	S Application Serial No.:	09/563, 286	filed on Ma	y 3, 2000
claims b	a continuation-in-part of Lenefit to U.S. Provisional A S Patent No.:			

Whereas AMGEN INC., a Delaware corporation having its principal place of business at One Amgen Center Drive, Thousand Oaks, California 91320-1799, wishes to acquire the entire interest in all inventions disclosed in such Application:

Now, therefore, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over unto AMGEN INC., its successors and assigns (collectively "AMGEN") our entire right, title and interest in, to and under the Application, and any provisional application(s) from which Application is derived, and all priority rights to which the Application may be entitled, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all Letters Patent of the United States and of all other countries which may be granted for such inventions, or any of them, including divisional, continuation, and/or continuation-in-part applications based on the above-identified Application, all such inventions and all rights in such Application and Letters Patent to be held and enjoyed by AMGEN for its own use and enjoyment to the full end of the term or terms for which such Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

Further, we hereby sell, assign, transfer, and set over unto AMGEN our entire right, title and interest in or to the right to refer to, to access, and to control microorganism(s) or other biological material(s) related to the Application and which are deposited by us or at our direction or deposited on our behalf by Amgen, its affiliates, employees or employees of its affiliates. The transfer of such right, title and interest includes, without limitation, our unreserved and irrevocable consent and authorization to AMGEN to refer to the deposited microorganisms(s) or other biological materials(s) in the Application and the right to make available to the public the deposited material in accordance with the laws, treaties, statutes, rules, regulations and the like of the United States, all other countries, and any patent granting authority or organization.

We authorize and request the Commissioner of Patents and Trademarks of the United States to issue any such Letters Patent which may be granted on the Application to AMGEN as assignee of the entire right, title and interest therein and thereto.

For ourselves and for our legal representatives, we covenant and agree with AMGEN that we have not granted to any others any license to make, use or sell any of such inventions, that our right title and interest in such inventions has not been encumbered, that we have good right and title to sell and assign the same, and that we will not execute any instrument in conflict herewith.

For ourselves and for our heirs, successors and legal representatives, we further covenant and agree with AMGEN that upon request we and they will: (i) execute continuing, divisional or reissue applications, amended specifications, or rightful declarations or oaths; (ii) communicate to AMGEN any facts known to us or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings or litigations; (iv) execute and deliver any application papers, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for AMGEN, may be necessary or desirable to secure the grant of Letters Patent to AMGEN or its nominees, in the United States and in all other countries where AMGEN may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for AMGEN and to vest and confirm in AMGEN or its nominees, the full and complete legal and equitable title to all such Letters Patent, without further consideration than that now paid but at the expense of AMGEN.

In Witness Whereof I have execut	ted this assignment on the day of	20 00
Ulrich Feige		
(Name of Inventor)	(Signature of Inve	ntor)
	UNITED STATES OF AMERICA	
State of California County of Ventura		,
,		20 ⁻ 00
Ulrich Feige personally known to me - OR -	proved to me on the basis of satisfactory evidence to be name is subscribed to the within instrument and acknowle/she executed the same in his/her authorized caphis/her signature on the instrument the person, or the of which the person acted, executed the instrument.	wledged to me that pacity, and that by
	WITNESS my hand and official seal.	
	Notary Public	· .
•	My commission expire	s .
		201 00

In Witness Whereof I have execu	ted this assignment on the	14th day of	August	20· <u></u> 00
Chuan-Fa Liu			uanfa Li	(
(Name of Inventor)		(Sign	ature of Inventor)	
	UNITED STATES OF AMI	ERICA	·	
State of - Colorado County of Boulder ss:		August ,	14 +	20· <u></u> 00
Before me, a Notary Public for Bo	oulder County, State of (Colorado, persona	ally appeared	
personally known to me - OR -	proved to me on the basis name is subscribed to the he/she executed the sam his/her signature on the ir of which the person acted,	within instrument ne in his/her auth instrument the pers	and acknowledged norized capacity, ar son, or the entity up	to me that nd that by
	WITNESS my hand and of	ficial seal.		
	Jod Do	'	y Public ssion expires	 _20_ 0 &_3

In Witness Whereof I have execu	ited this assignment on the	day of	20 00
Thomas Charles Boone	•		
(Name of Inventor)		(Signature of	inventor)
•	UNITED STATES OF AME	RICA	
State of California			
County of Ventura ss:			
•			20.00
Before me, a Notary Public for Ver	ntura County. State of Califor	nia, personally appeared	İ
boloto mo, a riolary i abilo for voi	· · ·	ma, porsonany appeared	
Thomas Charles Boone			
memas shares seems	 		-
personally known to me - OR -	proved to me on the basis of name is subscribed to the way he/she executed the same his/her signature on the inst of which the person acted, a	within instrument and ack e in his/her authorized o strument the person, or t	nowledged to me that capacity, and that by
	WITNESS my hand and offi	cial seal.	
		Notary Public	
		My commission ex	pires

In Witness Whereof I have execu	ted this assignment on the	day of	20 00
Janet Cheetham			
(Name of Inventor)		(Signature of In	ventor)
	•		_
	UNITED STATES OF AMERI	ICA	
State of California			
County of Ventura ss:		•	
			20.00
			
Before me, a Notary Public for Ver	itura County, State of Californi	ia, personally appeared	
Janet Cheetham			
norconally known to me. OR	proved to me on the basis of		
personally known to me - OR -	proved to me on the basis of name is subscribed to the wit		
	he/she executed the same	in his/her authorized ca	pacity, and that by
	his/her signature on the instr of which the person acted, ex		e entity upon behalf
	of which the person acteu, ex	ecuted the instrument.	
	WITNESS my hand and official	al seal.	
		·	
		Notary Public	
		My commission expir	res
		,	20 00
	• • • • • • • • • • • • • • • • • • • •		

In Witness Whereof I have execu	ted this assignment on the	day of	20 00
Jean Marie Gudas			
(Name of Inventor)		(Signature of I	nventor)
	÷.		
	UNITED STATES OF AMER	ICA	
State of			
County of ss:			20:00
			20-00
Jean Marie Gudas	<u></u>	· · · · · · · · · · · · · · · · · · ·	
personally known to me - OR -	proved to me on the basis of name is subscribed to the wi he/she executed the same his/her signature on the inst of which the person acted, ex	thin instrument and ack in his/her authorized or rument the person, or the	nowledged to me that apacity, and that by
	WITNESS my hand and offici	al seal.	
•	•		
		Notary Public	
		My commission exp	ires
			20 00

ASSIGNMENT

Whereas, we,	Ulrich Feige, 3117	Deer Valley Avenue,	Newbury Park, Ca	alifornia 91320	
	Chuan-Fa Liu, 142	5 Clover Creek Drive,	Longmont, Colora	ado 80503	
	Janet C. Cheethan	n, 1695 East Valley Re	oad, Montecito, Ca	alifornia 93108	
	Thomas Charles B	oone, 3010 Deer Valle	ey Avenue, Newbu	iry Park, California 9132	0
	Jean Marie Gudas,	3102 Espana Lane,	Thousand Oaks, C	alifornia 91362	
have made an invention wentitled	hich is the subject of	an application for Lett	ers Patent of the L	United States ("Application	on")
	MODIFIED F	PEPTIDES AS THERA	PEUTIC AGENTS	3	
which is found in:					
(a) the US	Patent Application e	xecuted on even date	herewith;		
(b) the US	Patent Application e	xecutéd on			
🖾 (c) US Ap	plication Serial No.:	09/563, 286	filed on	May 3, 2000	
claims benef	ntinuation-in-part of Lit to U.S. Provisional Atent No.:	J.S. Application Serial Application Serial No.	No.: 09/428,082, 60/105,371, filed (filed October 22, 1999, v October 23, 1998.	vhich

Whereas AMGEN INC., a Delaware corporation having its principal place of business at One Amgen Center Drive, Thousand Oaks, California 91320-1799, wishes to acquire the entire interest in all inventions disclosed in such Application:

Now, therefore, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over unto AMGEN INC., its successors and assigns (collectively "AMGEN") our entire right, title and interest in, to and under the Application, and any provisional application(s) from which Application is derived, and all priority rights to which the Application may be entitled, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all Letters Patent of the United States and of all other countries which may be granted for such inventions, or any of them, including divisional, continuation, and/or continuation-in-part applications based on the above-identified Application, all such inventions and all rights in such Application and Letters Patent to be held and enjoyed by AMGEN for its own use and enjoyment to the full end of the term or terms for which such Letters Patent may be granted as fully and entirely as the same would have been held and enjoyed by us had this assignment and sale not been made.

Further, we hereby sell, assign, transfer, and set over unto AMGEN our entire right, title and interest in or to the right to refer to, to access, and to control microorganism(s) or other biological material(s) related to the Application and which are deposited by us or at our direction or deposited on our behalf by Amgen, its affiliates, employees or employees of its affiliates. The transfer of such right, title and interest includes, without limitation, our unreserved and irrevocable consent and authorization to AMGEN to refer to the deposited microorganisms(s) or other biological materials(s) in the Application and the right to make available to the public the deposited material in accordance with the laws, treaties, statutes, rules, regulations and the like of the United States, all other countries, and any patent granting authority or organization.

We authorize and request the Commissioner of Patents and Trademarks of the United States to issue any such Letters Patent which may be granted on the Application to AMGEN as assignee of the entire right, title and interest therein and thereto.

For ourselves and for our legal representatives, we covenant and agree with AMGEN that we have not granted to any others any license to make, use or sell any of such inventions, that our right title and interest in such inventions has not been encumbered, that we have good right and title to sell and assign the same, and that we will not execute any instrument in conflict herewith.

For ourselves and for our heirs, successors and legal representatives, we further covenant and agree with AMGEN that upon request we and they will: (i) execute continuing, divisional or reissue applications, amended specifications, or rightful declarations or oaths; (ii) communicate to AMGEN any facts known to us or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings or litigations; (iv) execute and deliver any application papers, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for AMGEN, may be necessary or desirable to secure the grant of Letters Patent to AMGEN or its nominees, in the United States and in all other countries where AMGEN may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for AMGEN and to vest and confirm in AMGEN or its nominees, the full and complete legal and equitable title to all such Letters Patent, without further consideration than that now paid but at the expense of AMGEN.

In Witness Whereof I have execu-	ted this assignment on the 16 day of Huge 20 00
Ulrich Feige	Wil-
(Name of Inventor)	(Signature of Inventor)
·	UNITED STATES OF AMERICA
State of California County of Ventura ss:	Quaust 16 20.00
	ntura County, State of California, personally appeared
Ulrich Feige	
personally known to me - OR -	proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
CHRISTINA A. GUTIERREZ	WITNESS my hand and official seal.
Commission # 1200954 Notary Public — California Ventura County My Comm. Expires Nov 6, 2002	Obreaties a. Hutering Notary Public
	My commission expires
	<u>November 6</u> 2012002

In Witness Whereof I have execu	ted this assignment on the	day of	20.00
Chuan-Fa Liu			
(Name of Inventor)		(Signature of Ir	ventor)
	UNITED STATES OF AMER	IICA	
State of - County of ss:		•	
-			20.00
Chuan-Fa Liu personally known to me - OR -	proved to me on the basis of name is subscribed to the wi he/she executed the same his/her signature on the inst of which the person acted, ex	thin instrument and ackn in his/her authorized ca rument the person, or th	owledged to me that apacity, and that by
	WITNESS my hand and offic	ial seal.	
		Notary Public	
		My commission expi	res
		· · · · · · · · · · · · · · · · · · ·	20 00

In Witness Whereof I have execu	ted this assignment on the // day of August 20 00
Thomas Charles Boone (Name of Inventor)	(Signature of Inventor)
	(Cignatale of inventor)
	UNITED STATES OF AMERICA
State of California County of Ventura ss:	<u>August 17 20.00</u>
Before me, a Notary Public for Ver	ntura County, State of California, personally appeared
personally known to me - OR -	proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
	WITNESS my hand and official seal.
CHRISTINA A. GUTIERREZ Commission # 1200954 The dry Public — California Ventura County My Commissiones Nov 6, 2002	Notary Public My commission expires 100 000000000000000000000000000000000

in Witness Whereof I have execu	uted this assignment on the	17 th day of	August	20 <u>00</u>
Janet Cheetham (Name of Inventor)		(Signature of Inventor)		
•	UNITED STATES OF AM	ERICA		
State of California County of Ventura ss:	·	august		20:00
Before me, a Notary Public for Ve	entura County, State of Califo	ornia, personally a	ppeared	
personally known to me - OR -	proved to me on the basis name is subscribed to the basishe executed the san basisher signature on the i of which the person acted	within instrument and in his/her authorstrument the pers	and acknowledged orized capacity, a son, or the entity of	d to me that and that by
	WITNESS my hand and o	fficial seal.		•
SUNA A. GUTIERREZ Imission # 1200954 V Public — California *** tura County ***Ches Nov 6, 2002	Chr.	Notan My commis	Jutures Public ssion expires	20 <u>%0 0</u> 2

in Wi	itness Whereof I have ex	executed this assignment on the 10 day of June 20 00
	Jean Marie Gudas	- Lax / Care & maas
	(Name of Inventor)	(Signature of Inventor)
		UNITED STATES OF AMERICA
State of County of	} ss:	august 10 20.00
Before	e me, a Notary Public for	or Ventura County, State of California, personally appeared
Jean M	larie Gudas	
personally l	known to me - OR -	proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
		WITNESS my hand and official seal.
		Christia a Letterse Notary Public
A A A A	CHRISTINA A. GUTIER	My commission expires
	Commission # 1200 Notary Public — Califf Ventura County Ocean, Expires Nov	10754 November 6 20 8000